

Message Text

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51

ACTION COME-00

INFO OCT-01 EUR-25 IO-14 ISO-00 AGR-20 CEA-02 CIAE-00

DODE-00 EB-11 FRB-02 H-03 INR-10 INT-08 L-03 LAB-06

NSAE-00 NSC-07 PA-04 RSC-01 AID-20 CIEP-02 SS-20

STR-08 TAR-02 TRSE-00 USIA-15 PRS-01 SP-03 FEA-02

OMB-01 SWF-02 DRC-01 /194 W
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P R 211552Z MAY 74

FM USMISSION EC BRUSSELS

TO SECSTATE WASHDC PRIORITY 6915

INFO USMISSION GENEVA

LIMITED OFFICIAL USE EC BRUSSELS 3299

E.O. 11652: N/A

TAGS: ETRD, EEC

SUBJ: EC TARIFF RECLASSIFICATION: SEMI-CONDUCTORS

REF: STATE 102495

1. ON MAY 20 MISSION OFFICER INFORMED ABBOTT, WHO HANDLES CERTAIN GATT MATTERS FOR THE EC COMMISSION'S DIRECTORATE-GENERAL FOR EXTERNAL RELATIONS, THAT THE US WILL ACCEPT THE LATEST EC DRAFT OF THE PROPOSED SUBHEADING AND EXPLANATORY NOTE FOR CXT 85.21D. THE MISSION OFFICER STATED THAT THE US EXPECTS THAT THE NINE PERCENT RATE FOR UNDICED WAFERS WILL TAKE EFFECT JULY 1. THE MISSION OFFICER ALSO NOTED THAT US APPROVAL OF EC RECTIFICATION OF ITS GATT TARIFF SCHEDULE WILL DEPEND ON CUSTOMS TREATMENT AFTER JULY 1. HE ADDED THAT THE US EXPECTS THE COMMISSION TO MAKE SURE THAT THE AMBIGUOUS LANGUAGE OF THE EXPLANATORY NOTE WILL NOT RESULT IN THE APPLICATION OF THE SEVENTEEN PERCENT RATE TO NON-CIRCULAR WAFERS SUCH AS HALVED AND

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QUARTERED WAFERS.

2. ABBOTT RESPONDED THAT HE CONTINUED TO THINK IT PROBABLE THAT THE NINE PERCENT RATE WOULD GO INTO EFFECT JULY 1. AS FOR THE OTHER POINTS, HE FELT THAT THE LANGUAGE OF THE EXPLANATORY NOTE WOULD NOT BE INTERPRETED BY CUSTOMS OFFICIALS IN A RESTRICTIVE WAY. IN ANY EVENT, HE HAD ALREADY ASKED THE COMMISSION'S CUSTOMS EXPERTS TO CONSIDER SENDING OUT OFFICIAL GUIDANCE ON THESE POINTS AFTER THE NEW SUBHEADING AND EXPLANATORY NOTE GO INTO EFFECT.

3. THE MISSION OFFICER ALSO STATED THAT THE US DID NOT AGREE WITH THE EC ARGUMENT THAT WAFERS AND CHIPS WERE SUBJECT TO A SEVENTEEN PERCENT DUTY PRIOR TO JANUARY 1, 1972, BUT THAT THE US WAS AGREEING TO A COMPROMISE SETTLEMENT IN ORDER TO RESOLVE THE ISSUE AND TO BEGIN RECEIVING IMMEDIATELY THE BENEFITS INVOLVED IN THE EC PROPOSAL. ABBOTT TOOK NOTE OF THESE POINTS. GREENWALD

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Disposition Action: RELEASED
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Disposition Case Number: n/a
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Disposition Date: 28 MAY 2004
Disposition Event:
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Disposition Reason:
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